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UNCLAS MUMBAI 000188

SIPDIS

SENSITIVE

E.O. 12958: N/A

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SUBJECT: BANERJEE STATES GODHRA FIRE MAY HAVE BEEN ACCIDENT - BJP
DISAGREE

REF: 2004 MUMBAI 2344

1. (U) Justice U.C. Banerjee released an interim report in New Delhi on January 17, 2005, which claimed that the February 27, 2002 fire in car S-6 of the Sabarmati Express just outside Godhra might have erupted "in the coach itself without any external input." Union Railway Minister Lalu Prasad Yadav of the RJD in Bihar formed the Banerjee committee (a one-man committee comprised solely of Banerjee himself) in September 2004 to discover the cause of the Godhra incident. The fire burnt to death fifty-nine Hindu pilgrims and sparked-off Hindu-Muslim violence in Gujarat from March to May 2002, killing an estimated 1,000 to 2,000 people, a majority of them Muslims.

BJP Doesn't Agree with Justice Banerjee

2. (U) BJP Chief Minister Narendra Modi of Gujarat has always claimed that Muslim "miscreants" from the town of Godhra set the fire. National BJP leaders criticized the timing of the report's release, with National BJP spokesperson Arun Jaitley saying it was clearly aimed at garnering Muslim votes in the upcoming February 2005 state legislature election.

Accident or Conspiracy?

3. (U) Depending upon their political persuasion, Indian interlocutors have always advocated various theories about the cause of the fire. According to the RSS and its various partner organizations, it was a deliberate conspiracy by Muslims. Human rights activists have claimed that the fire could not have been set from outside, and that the car was locked from inside (preventing any Muslims from entering the car and starting the fire). As the Times of India on January 18, 2005 puts it, "The (Banerjee) report, however, does not go so far as to blame the kar sevaks (pilgrims) and others for starting the fire deliberately in order to achieve the communal divide." The Banerjee report has suggested the possibility that the kar sevaks might have been cooking inside the car and that might have set off the fire accidentally.

4. (U) The Gujarat police are still working on their own investigation of the incident and have stated, via the media, that they disagree with the report entirely. Rakesh Asthana, a senior Gujarat police official heading the inquiry into the train fire, told a media conference a few hours after the report's release that police evidence indicates that someone collected gasoline in a small hotel in Godhra the night before, entered the car while it was in Godhra station, set the fire and ran away.

Comment:

5. (SBU) The timing of the release of the report is indeed significant. Some observers have stated that Indian Muslims voted overwhelmingly anti-BJP and its coalition partners to show their displeasure for the 2002 Gujarat violence in the April-May 2004 national elections, and in the September 2004 Maharashtra state elections. The high-profile Best Bakery case being retried in a Mumbai court may now be unraveling because the chief witness has recanted (reftel), which may be causing some Muslims to have second thoughts about voting for the UPA.

6. (SBU) Railway Minister Yadav is elated by the outcome and is taking credit for instituting the report, which he claims discredits the former BJP government. Yadav's RJD government in Bihar faces the voters early in February and his opponents are scoring points with their accusations of mismanagement and corruption. Bihari Muslims are a key constituency of Yadav's winning caste and communal equation in Bihar, and he can now claim to be their champion against the BJP "communalists." End
Comment.

SIMMONS